
**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.10677 of 1994

Date of decision: 30.4.2012

Jagjit Singh Joga

....Petitioner

Vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: None for the petitioner.

Mr. Vijay Kumar Chaudhary, AAG, Punjab.

G. S. SANDHAWALIA, J. (Oral).

The prayer in the present writ petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of certiorari quashing the notification Annexure P-8 whereby the petitioner had been ordered to be removed from the office of Municipal Commissioner, Municipal Committee, Bhatinda on the ground that he being an employee of the Punjab State Electricity Board, was holding an office of profit under the State of Punjab and was, thus, debarred from contesting the Municipal election.

The impugned order was passed by the Secretary, Punjab Government, Local Government Department wherein by exercising the powers under Section 16(1) (f) read with Section 16(2) of the Punjab Municipal Act, 1911, the petitioner was removed from the office of the

membership of the Municipal Committee, Bhatinda and further declared him debarred from contesting the Municipal election for a period of five years vide order dated 5.8.1994 Annexure P-8.

Notice of motion was issued on 11.8.1994 and the operation of Annexure P-8 was stayed. The writ petition was thereafter admitted for hearing on 13.12.1994 and the interim order was ordered to be continued.

As per the Punjab Municipal Act, 1911, the term of the office of Municipal Commissioner is for five years and that period has expired in 1997. Thereafter more than 15 years have also expired and therefore, now the petitioner would have no grievance surviving in any manner.

In view of the above, the writ petition is dismissed as having been rendered infructuous. However, it is made clear that since there is no representation on behalf of the petitioner, in case the petitioner is aggrieved by this order, he is at liberty to file appropriate application before this Court.

(G.S.SANDHAWALIA)
JUDGE

30.4.2012
Pka